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09/992,809	11/19/2001	Robert Kelly Mulhern	E0019/261139	7341

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EXAMINER

ALAUBAIDI, HAYTHIM J

ART UNIT PAPER NUMBER

2168

DATE MAILED: 02/24/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

**Application No.**

09/992,809

**Applicant(s)**

MULHERN ET AL.

**Examiner**

Haythim J. Alaubaidi

**Art Unit**

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 12 December 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-53 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-16, 18-26, 28-31 and 33-53 is/are rejected.
- 7) ☒ Claim(s) 17, 27 and 32 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 19 November 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

### **DETAILED ACTION**

1. This communication is a Final Office Action in response to the amendment filed on December 12, 2005.
2. Claims 1-53 are presented for examination following the amendment of December 12, 2005.
3. Claims 1, 9, 18, 28, 33, 36, 39, 42, 45, 48 are the Independent Claims of the current Application.
4. Claims 17, 27, 32 are objected to as being dependent upon a rejected base claim.
5. Claims 1-16, 18-26, 28-31 and 33-53 are rejected under 35 U.S.C. 103(a) as being unpatentable over Morgan-140 in view of Morgan-327.

### ***Claim Rejections - 35 USC § 112***

6. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

7. Claims 1-53 are rejected under 35 U.S.C. 112, second paragraph, as failing to set forth the subject matter which applicant(s) regard as their invention. Particularly, evidence that independent claims 1, 9, 18, 28, 33, 36, 39, 42, 45, 48 fail(s) to correspond in scope with that which applicant(s) regard as the invention can be found in the reply filed December 12, 2005. In that paper, applicant has stated that the UCID is capable of being distributed and that the UUID is capable of being maintained with no

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disclosure. Being capable of distributing or maintaining any of the ID's does not necessary mean that the UCID and/or the UUID is actually being distributed and/or maintained. Respectfully, In order to over come this 112 rejection, the claim must state whether the UCID is or isn't being distributed; and the same to the UUID whether it is or it is not being maintained. Appropriate corrections are required.

### ***Response to Arguments***

8. Applicant's arguments filed April 25, 2005 have been fully considered but they are not persuasive.

a. Applicant argues in the amendment of December 12, 2005 section (I) that Morgan-140 does not teach a concept of disseminate different UCID to different customers. The Examiner however agrees with the Applicant, as no such language is disclosed in any of the Independent claims. Therefor, no rejection was required by the Examiner to address such a concept; in addition, even if the argued concept was added to the claims, the new added reference for Morgan-327 discloses and teaches the concept of disseminate different UCID to different customers, please see Morgan-327 (Col 6, Lines 23-36, i.e. client-specific key).

### ***Examiner's Term Interpretations***

#### Instant Application

#### Morgan-140 Patent

- |                     |   |  |
|---------------------|---|--|
| - universe database | = | data vendor's central database                     |
| - UUID              | = | Unique persistent key for central database records |

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- UCID = Unique persistent key for customer database records

***Claim Rejections - 35 USC § 103***

9. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

10. Claims 1-16, 18-26, 28-31 and 33-53 are rejected under 35 U.S.C. 103(a) as being unpatentable over Charles D. Morgan (U.S. Patent No. 6,073,140 and Morgan-140 hereinafter) in view of Charles D. Morgan, Jr. (U.S. Patent No. 6,766,327 and Morgan-327 hereinafter).

Regarding Claims 1, 3, 6, 9, 11, 18-19, 28, 30, 33, 36, 38-39, 42, 45, 48 and 50-51, Morgan discloses:

receiving raw data corresponding to at least one event generating entity (Col 1 Lines 38-50; see also Col 3, Lines 53-61);

processing the raw data and generating at least one processed record entry (Col 3, Line 54 and 57-61, i.e. data structure; see also Col 1 Lines 38-50);

storing a plurality of processed record entries in a universe database (Figure 1, Element No. 114, and corresponding text; see also Col 1 Lines 38-50) each record entry

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being associated with a unique universe identifier ("UUID")<sup>1</sup> (Figure 1, Element No. 114, and corresponding text; see also Col 3, Lines 52-54);

accessing content of a customer file (Figure No. 2, Element No. 214 and corresponding text; see also Col 3, Lines 61-64);

comparing the content of the customer file with the content of the universe database (Col 3, Lines 61-64; see also Col 11, Lines 38-42);

generating a matched customer file (Col 6, Lines 53-59; See also Col 10, Lines 27-36);

assigning a unique customer number ("UCID")<sup>2</sup> for each record entry contained in the customer file (Col 5, Lines 7-8; see also Col 10, Lines 13-26);

associating each UCID with a corresponding UUID (Abstract, see also Col 5, Line 59 through Col 6, Line 3; see also Col 12, Lines 62-67, i.e. join table)<sup>3</sup>; and

updating a portion of at least one record entry in the matched customer file with information contained in the processed record entry associated with the UUID corresponding to the UCID associated with the at least one record entry (Col 3, Lines 35-51; see also Col 7, Lines 11-20).

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<sup>1</sup> The Examiner is interpreting the "UUID" to be similar to the persistent keys for records in the vendor's database, also referred to as the "center database" (universe database).

<sup>2</sup> The Examiner is interpreting the "UCID" to be similar to the persistent keys for records in the data customer's customer database.

The Examiner is interpreting both ID's to be the same as the persistent key; as the Morgan reference is disclosing a persistent key for records in the central database, which is the vendor's database (universe database); and the other persistent key for records in the customer database.

Please note that these persistent keys are unique (Morgan, Col 3, Lines 52-64).

<sup>3</sup> Please note that the Examiner is taking into consideration dependent Claim 6 in interpreting this limitation for associating these keys.

Morgan-140 reference discloses all of the claimed subject matter set forth above, except it does not explicitly indicate “wherein the UCID is different from the UUID, and the UCID is capable of being distributed to a customer and the UUID is capable of being maintained without disclosure to the customer”. However, Morgan-327 discloses the above limitation of “wherein the UCID is different from the UUID, and the UCID is capable of being distributed to a customer and the UUID is capable of being maintained without disclosure to the customer”, please see Col 6, Lines 6-48). It would have been obvious to a person of ordinary skill in the art at the time of Applicant’s invention to modify the teachings of Morgan-140 with the teachings of Morgan-327 to distribute one ID such as the UCID and maintain the other ID such as the UUID to prevent the plurality of the receiving clients (the party receiving the UUID’s) from sharing the data between themselves which leads to the elimination of the need to the Information Service Providers, please see Col 6, Lines 23-30).

The combinations of both Morgan-140 and Morgan-237 references discloses all of the claimed subject matter set forth above, except they don’t explicitly indicate the generating of a non-matched customer file. However, given the nature of database searching, the Examiner takes Official Notice that it was well known in the art to generate a non-match list when a database conducts a search according to criteria will generate a match list; on the other hand all other records that were not included in this match list will be part of a non-match list. Hence, Including a non-match list in the combination of both references would have been obvious to one of ordinary skill in the

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art at the time the invention was made. As such, a list (non-matching list) may be useful in increasing sales, in this case sales of data relating to entities, for example, individuals or consumers to those who are interested (data purchasers) especially since they don't have this list. Another good reason would be for marketing research; as a data purchaser would like to have an idea or compare the matching list to the non-matching list relating to a certain criteria in order to make better decisions; for example, deciding on promoting a certain product in a certain geographic location, does the majority of the residence of this location make enough income to actually afford such an item or product (Morgan-140, Col 1, Lines 52-57).

Regarding Claims 2, 26, 31, 34, 37, 40, 44, 46 and 49, Morgan discloses wherein each UUID and UCID are stable over a period of time (Col 4, Line 66 through Col 5, Line 6; see also Col 5, Lines 48-51).

Regarding Claim 4, Morgan discloses wherein the action of comparing the content of the customer file with the content of the universe database comprises organizing the record entries in the customer file per person (Col 10, Lines 13-26) i.e.

Key field 612 is chosen as that field from each record that can be easily used to match the record on customer database 210 that contains complementary information. For example, if central database 224 maintains a record with all known information on individual John Doe, the key field 612 from that record might be the last name field, "Doe."



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Regarding Claims 5, 13-16, 20-22 and 24-25, Morgan discloses wherein the action of comparing the content of the customer file with the content of the universe database comprises using public domain identity data common to the customer file and the universe database (Col 5, Lines 59-64; see also Col 9, Lines 44-60; see also Col 5, Lines 18-24, i.e. such as direct satellite links).

Regarding Claims 7-8, 12, 23 and 52-53, Morgan discloses wherein the action of updating a portion of at least one record entry is accomplished using a batch mode or near real-time (Col 13, Lines 17-24).

Regarding Claim 10, the limitations of this claim is similar in scope to the rejected claims 1 and 2, above. It is therefor rejected as set forth above.

Regarding Claim 29, Morgan discloses wherein each set of the UCID's is different from another set of the UCID's (Col 5, Lines 29-38; see also Col 4, Lines 6-22).

Regarding Claims 35 and 41, the limitations of this claim has been noted in rejecting claim 6, above. In addition, Morgan discloses wherein the UCID's are updated with a new UCID's (Col 11, Lines 15-27)<sup>4</sup>.

Regarding Claims 43 and 47, Morgan discloses wherein the action of transferring the at least one data file occurs after determining the state of an attribute (version number) associated with the at least one data file (Col 11, Lines 15-27).

***Allowable Subject Matter***

11. Claims 17, 27, 32 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in a manner that would overcome the 112 rejection and in an independent form including all of the limitations of the base claim and any intervening claims.

12. The following is the Examiner's statement of reasons for the indication of allowable subject matter:

Regarding Claims 17, 27 and 32 Applicant's particular system and associated in the environment of updating customer files with unique ID's is the combination of updating the transferred UCID with a new UCID; associating the new UCID with a UUID; and generating a conversion table providing a mapping between the new UCID and the UUID associated with the new UCID in combination with the other limitations of the amended claims as in the current amendment of December 12, 2005, was not disclosed by, would not have been obvious over, nor would have been fairly suggested by the prior art of record or that encountered in searching of the prior art.

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<sup>4</sup> The version number is changing, and since the version number is part of the persistent key, then the persistent key is being changed to a new one.

13. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

***Points of Contact***

14. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Haythim J. Alaubaidi whose telephone number is (571) 272-4014. The examiner can normally be reached on Monday - Friday from 8:00 AM to 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffrey Gaffin, can be reached at (571) 272-4146.

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Any response to this office action should be mailed to:

The Commissioner of Patents and Trademarks, Washington, D.C. 20231 or Faxed at  
our central fax number (571) 273-8300.

Hand-delivered responses should be brought to the Customer Service Window of the  
Randolph Building at 401 Dulany Street, Alexandria, VA 22314



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Art Unit 2168

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